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CONGRESSIONAL RECORD — SENATE

September 10

to the employees to whom his message is addressed. It reads as follows:

ARCHISON, July 30, 1959.

All Section Foremen Effingham to Concordia: Each of you wire your U.S. Senator with the wire to read as follows: "Refer to Senate bill 1425. Missouri Pacific Railroad has progressively improved the safety and operation of its trains until they now have adequate protection. Urge you to vote against this bill." Wire your Senator the message above on or July 31, and send it Western Union for your Western Union and I will refund your money. Send Mr. C. L. Christy a copy of the Western Union message.

E. L. MULLENNIX.

This message speaks for itself. There is no request made here, nor no explanation of the issues involved. It seems to be simply an order to all the foremen under him to send a specific wire to their Senator, to pay for it out of their own pockets and then get a refund.

As my next example, I have in my possession a copy of a letter from an official of one of the railway brotherhoods. This letter, dated August 5, 1959, reads in part as follows:

"I am sorry to advise you of what happened yesterday. I went in my roadmaster's office as usual. He had received a stack of telegrams all filled out. He handed them to me, asked me to read and sign one. After reading one I gave them back and told him I could not sign it.

"It was in regard to Senator MAGNUSON's bill, S. 1425, to amend the Interstate Commerce Act to provide protection for railroad employees by regulating the use of track motorcars and other self-propelled equipment.

My roadmaster went north on motorcar, his driver told me every man signed one of the telegrams. They were told that if the bill passed the company would have to put a conductor on every motorcar.

"Another roadmaster went south out of here. From what I can learn all of his foremen signed one. The message stated that we had sufficient motorcar protection."

This occurred on a railroad operating in the State of the cosponsor of this measure in the House. I am confident that Chairman HARRIS is not going to be intimidated or misled by this, but since many other of the Members of the Senate and House no doubt have received telegrams produced in this way, I want the Congress to be fully aware of the nature of their origin so that they may be appraised accordingly.

As my final exhibit at this time I include here the text of a letter signed by two roadmasters and one B. & B. supervisor and addressed to all foremen under their supervision on the Union Pacific Railroad. This letter also couched in the form of an order, reads as follows:

HINKLE, August 12, 1959.

To All Foremen:

Received the following mailgram from Mr. R. E. Haacke:

"There is now pending in Congress, Senate bill S. 1425, which would require all track motorcars to be operated by train orders under the jurisdiction of and in accordance with rules established by the Interstate Commerce Commission.

"All of us who are familiar with motorcar operations can readily see the tremendous complications involved in attempting to operate motorcars under positive train orders. In effect, this would make it very impractical or almost impossible to get from one point to the other on a motorcar as all of our gangs would be spending more of their time getting train orders and getting on and from points of work under these train orders than they would in actual performance of their work.

"The practical effect would probably be that we would have to discontinue the operation of all or most section gangs as they now exist and perform our track maintenance work with roving extra gangs, such as some other railroads are already doing.

"If this Senate bill 1425 is passed, we should bear in mind that none of our motorcar operators are presently qualified to take train orders, as would be necessary for them to do at outlying points under the requirements of this legislation. It is doubtful whether very many of our motorcar operators could pass the necessary examination on operating rules to permit them to copy train orders. As a result many of them would no doubt be disqualified if they could not pass this examination on the operating rules."

I am sure that each of you realize just what effect passage of this legislation would have on your jobs. I feel, therefore, that this matter should be brought to the attention of the men under your supervision so they can write to their Senators and Congressmen expressing opposition to Senate bill S. 1425.

Want each of you to discuss this matter with your men and urge them to write letters opposing passage of this bill.

W. H. COSGROVE.

O. E. RAYBURN.

C. M. WICKMILLER.

(The bill does not contemplate "train orders" as such. It prescribes that the IOC make reasonable rules. If it does it can be changed after hearings to emphasize only the safety measures.)

The pocket list of railroad officials shows that Mr. R. E. Haacke is resident engineer of the Union Pacific Railroad at Portland, Ore. Remembering that all of these officials have the power to hire and fire their subordinates, the reference to loss of jobs if S. 1425 should become law clearly has some overtones here and, I am informed, has caused real concern among railroad employees on this division.

The question may naturally arise in the minds of many of you after getting telegrams of this kind as to whether or not the railroad workers really want this legislation. While on the surface it should be apparent that they would favor any step to cut down the horrible and steadily increasing loss of life and injuries which they are sustaining because of the present lack of such protection, I want the record to be absolutely clear on this point. Here is the text of a statement I have been authorized to insert on behalf of all of the 23 standard railway labor organizations affiliated with the Railway Labor Executives' Association:

"Railroad labor is strongly supporting S. 1425 and H.R. 2487 to give the Interstate Commerce Commission authority to establish rules and regulations for the safe operation of track motorcars and other self-propelled equipment. This legislation is needed promptly to check the alarming rise in the death and injury rate to railroad workers using this type of equipment. We urge its immediate enactment.

"A. E. LYON,

"Executive Secretary.

"Railway Labor Executives' Association."

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

The Senate resumed the consideration of the bill (S. 2026) to establish an Advisory Commission on Intergovernmental Relations.

Mr. JOHNSON of Texas. Mr. President, what is the pending business?

The PRESIDING OFFICER. The bill before the Senate is S. 2026, to establish an Advisory Commission on Intergovernmental Relations.

Mr. JOHNSON of Texas. Mr. President, I yield the floor, so that the Senator from Maine may make a statement.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Mr. MUSKIE. Mr. President, H.R. 6904 is on the calendar, as Calendar No. 733.

The bill is designed to establish an Advisory Commission on Intergovernmental Relations. This proposed legislation is the culmination of a long history of efforts to study, evaluate, and improve the relationships among the various levels of government in our system.

The basic concept of the bill is that the Government of the United States operates under one system, functioning on three levels, and that the interrelationships of these three levels are of such importance to the effective functioning of the system as to justify and to require continuing attention by an agency representative of all three levels of government.

Mr. President, I will briefly describe the purposes of the Commission and its organization. The Commission would have seven basic purposes:

First. To bring together representatives of the Federal, State, and local governments for the consideration of common problems.

Second. To provide a forum for discussing the administration and coordination of Federal grant and other programs requiring intergovernmental cooperation.

Third. To give critical attention to the conditions and controls involved in the administration of Federal grant programs.

Fourth. To make available technical assistance to the executive and legislative branches of the Federal Government in the review of proposed legislation to determine its overall effect on the Federal system.

Fifth. To encourage discussion and study at an early stage of emerging public problems that are likely to require intergovernmental cooperation.

Sixth. To recommend, within the framework of the Constitution, the most desirable allocation of governmental functions, responsibilities, and revenues among the several levels of government.

Seventh. To recommend methods of coordinating and simplifying tax laws and administrative practices to achieve a more orderly and less competitive fiscal relationship between the levels of government and to reduce the burden of compliance for taxpayers.

The Commission which would be created by the proposed legislation would be intergovernmental in its makeup. It would consist of 27 members, to be appointed as follows:

Six to be appointed by the President of the United States, three of whom shall be officers of the executive branch of the Government, and three private citizens, all of whom shall have had experience or familiarity with relations between the levels of government.

Three to be appointed by the President of the Senate, who shall be Members of the Senate.

Mr. MUSKIE. I thank the Senator. Mr. MAGNUSON and Mr. JAVITS addressed the Chair.

Mr. MUSKIE. I yield first to the Senator from Washington.

Mr. MAGNUSON. I believe the Senator from Pennsylvania was speaking about the proposal advanced in the hearings on the bill by several mayors, as I recall, that all three levels of government participate in this matter.

I should like to ask the Senator from Maine, does his proposal anticipate or does it allow the kind of representation from the urban centers suggested in some of the testimony? I notice on page 119 of the hearings a statement by Gordon S. Clinton, the mayor of Seattle. Questions were asked by the distinguished Senator from Maine about participation by the three levels of government. I think Mayor Clinton testified on behalf of the American Municipal Association.

Does this bill include the three levels?

Mr. MUSKIE. Yes. In a sense, the bill includes really four levels. It includes the Federal Government, State governments, municipal governments, and also county governments, and the provisions of the bill relative to membership on the committee meet with the approval of the American Municipal Association in the U.S. Conference of Mayors.

Mr. MAGNUSON. I was going to say something on this point, but I believe the mayor's testimony, which is fairly short, expresses my views as far as urban and municipal representation is concerned; and I ask unanimous consent that his statement be placed in the Record at the conclusion of the remarks of the Senator from Maine.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. JAVITS. Mr. President, I wish to associate myself with the views expressed by the Senator from Maine. I am honored to be a cosponsor of the bill, and I strongly support its passage. I have no doubt that the Senate will pass it today.

I wish to call to the attention of the Senate the possible achievement in this field. For example, yesterday we passed—and I voted for it—the so-called antipollution bill with respect to water. That is exactly one of the problems with which a commission like the one proposed would concern itself. How do we adequately and wisely concentrate the responsibility for preserving the water resources of the country? They are not only one of our indispensable resources, but also one of the most dangerously jeopardized resources of the United States.

Also, Mr. President, we have been wrestling in the Senate with the no-man's-land problem, in the field of jurisdiction as between the States and the Federal Government in respect of labor matters, which are also very knotty problems.

Again, we have been more or less talking in the dark, based upon our own information, but without the benefit of any authoritative findings and analyses.

These are two examples. I am sure there are a host of others. This fact only emphasizes why the leadership of the Senator from Maine is so important.

I should like also at this time to pay a tribute to Meyer Kestnbaum, of Chicago, who has served as chairman of the Commission on Inter-Governmental Relations, and is now a Federal member of the Joint Federal-State Action Committee. He has led in this field in a most enterprising way, and shows every promise of continuing to cooperate in this field. I am sure he is very sympathetic to the objectives we are discussing.

Sometimes, we are inclined to permit things to go by in a sort of offhand way, in a quiet hour like this, when not much is going on, and we do not place enough emphasis on the real importance of the whole concept of the problem of this Government of ours based upon Federal-State relations. Although I have many times supported the concept of Federal responsibility in the most authoritative sense, I am nonetheless too much of a lawyer myself not to understand the importance of the maintenance of the strength of the Federal system wisely and, considering the progress of the country, in ever keeping abreast of progress. This is a very fine contribution to that end.

Mr. ERVIN. Mr. President, I wish to commend the able and distinguished Senator from Maine for the fine work which he has done in connection with the presentation of this bill to the Senate, and also in connection with the consideration of the bill by the Committee on Government Operations.

The bill fills a very deeply felt need in our national life in that it provides a commission to study our Federal system in all of its ramifications. I concur in what the able and distinguished Senator from Pennsylvania said a moment ago, about the relationship between his bill and this bill. I believe the Senator from Maine has correctly stated that the two bills do not conflict, but, on the contrary, supplement each other.

Mr. MUSKIE. I thank the Senator from North Carolina.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. Is it the thought of the Senator from Maine that this Commission would deal with such problems as we are now confronted with in the division of authority between the legislative and the executive branches, as between the two parties, in that one is controlled by one party and the other by the other party?

Mr. MUSKIE. Is the Senator speaking of the Federal level?

Mr. FULBRIGHT. Yes. We now have one party controlling the executive and the other party controlling the legislative. That, in my opinion, is a very unsatisfactory way to run a government. Will this Commission consider such problems as that?

Mr. MUSKIE. I would not consider that to be within the scope of the purposes of the Commission.

Mr. FULBRIGHT. Why not?

Mr. MUSKIE. The Commission is intended to deal with the relationships between different levels of government and not the relations between various departments of the Federal Government, or various departments on State levels. Its purpose is intergovernmental relations rather than relationships on any particular level of government.

Mr. FULBRIGHT. Reforms within the Federal Government, then, are not contemplated?

Mr. MUSKIE. Within the Federal system.

Mr. FULBRIGHT. Within the Federal system.

Mr. MUSKIE. As among these four levels of Government, I have not studied the language relating to the purposes of the Commission with a view to determining whether or not the kind of problem posed by the Senator from Arkansas would properly come within its scope. That was not the intention of the drafters of the legislation.

Mr. FULBRIGHT. Does not the Senator from Maine consider that this is a very, very important matter that we now seem to be confronted with more or less permanently, that the executive branch is controlled by one party and the legislative by another party?

Mr. MUSKIE. I could not agree more. Incidentally, I should like to say to the Senator from Arkansas that I listened with a great deal of interest to his comments yesterday, which lay within this general field which he is now discussing. I thought his remarks were very appropriate and very pertinent.

Mr. FULBRIGHT. The Commission on Intergovernmental Relations in a very broad sense I should think would include the governmental relations between the executive and legislative branches of the Federal Government, and I was hoping the Senator would say "yes," that this was one of the subjects which the Commission would consider, and that it possibly might contemplate some reforms in our system which would at least minimize the condition I have mentioned.

Mr. MUSKIE. The bill provides for a bipartisan representation on the Commission.

Mr. FULBRIGHT. Yes.

Mr. MUSKIE. And I suspect that if the appropriate people are named to the Commission, they might be tempted to delve into this field.

Mr. FULBRIGHT. I was hoping we might make legislative history which would encourage the members of the Commission to listen to such a problem, and I am disappointed that the Senator from Maine did not have this point in mind. I believe the problems he is dealing with are much less important and much less of a threat to the continued vigor of this Government than the problem I mention.

Mr. MUSKIE. Perhaps I can restate myself in the good graces of the Senator from Arkansas if I suggest for the Record that if the Commission, when it is created and organized, should undertake to consider the problem

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Three to be appointed by the Speaker of the House of Representatives, who shall be Members of the House.

Four to be appointed by the President from a panel of at least eight Governors submitted by the Governors' conference.

Three to be appointed by the President from a panel of at least six members of State legislative bodies submitted by the board of managers of the Council of State Governments.

Four to be appointed by the President from a panel of at least eight mayors submitted jointly by the American Municipal Association and the U.S. Conference of Mayors.

Four to be appointed by the President from a panel of at least eight elected county officers submitted by the National Association of County Officials.

The Commission is the sort of agency which has been recommended several times over recent years. The first Hoover Commission recommended the creation of a permanent agency of this kind.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the recommendations of the first Hoover Commission on this matter.

There being no objection, the recommendations were ordered to be printed in the RECORD, as follows:

FIRST HOOVER COMMISSION RECOMMENDATIONS ON FEDERAL-STATE RELATIONS

Recommendation No. 1: We recommend that the functions and activities of government be appraised to determine which can be most advantageously operated by the various levels of government, and which require joint policymaking, financing, and administration.

Recommendation No. 2: We recommend that our tax system—National, State, and local—be generally revised and that, in this revision, every possible effort be made to leave to the localities and the States adequate resources from which to raise revenue to meet the duties and responsibilities of local and State governments.

Recommendation No. 5: We recommend, in order to accomplish all of these things in an adequate and orderly manner, that a continuing agency on Federal-State relations be created with primary responsibility for study, information, and guidance in the field of Federal-State relations. (First Hoover Commission Report on Federal-State Relations, pp. 35-36.)

Mr. MUSKIE. In addition, Mr. President, the so-called Kestnbaum Commission, whose chairman was Meyer Kestnbaum, who testified in the joint committee hearings on the bill, recommended the creation of such a joint advisory commission. I ask unanimous consent that excerpts from Mr. Kestnbaum's remarks be printed in the RECORD at this point.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EXTRACTS FROM STATEMENT OF HON. MEYER KESTNBAUM, FORMER CHAIRMAN, COMMISSION ON INTERGOVERNMENTAL RELATIONS, AND PRESENTLY A FEDERAL MEMBER OF THE JOINT FEDERAL-STATE ACTION COMMITTEE, AT JOINT HEARINGS ON HOUSE AND SENATE BILLS TO ESTABLISH AN ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS, ON JUNE 22, 1959

The bill which has been introduced addresses itself to what I regard as a most

important objective, to give the President and the Congress the benefit of a continuing study of one of the most perplexing problems that our country faces; namely, the proper coordination of the activities of the various levels of government in order to achieve our national objectives.

Our Federal system has withstood many strains in the course of our history. It probably faces a greater strain at the present time than at any previous time in our history, because of the rapid economic and social changes that have taken place and because of the impact of these changes on our communities and of our very natural desire to use the good offices of government for the improvement of our society at a time when our ideas of what is appropriate are expanding very rapidly.

I am sure I need not remind you that the Commission, in making its report, had in mind the fact that its study was only the beginning of a real inquiry into the whole subject.

If I may quote from a letter which I addressed to the President at the time the report was submitted, I said:

"We are hopeful this report will be regarded as the beginning rather than the end of a contemporary study of the subject of intergovernmental relations, and that it will stimulate all levels of government to examine their respective responsibilities in a properly balanced Federal system."

I should like to go on record as saying that the idea of a commission that will give the President and the Congress the benefit of careful incisive research and examination of the many problems that face us in this area, is sound, and that it can fulfill a very important and useful function.

Mr. MUSKIE. In addition, Mr. President, the annual Governors' conference at San Juan, P.R., this year recommended unanimously the enactment of legislation for the establishment of an advisory commission on intergovernmental relations, and I ask unanimous consent that a copy of the resolution be printed in the RECORD at this point.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION ADOPTED UNANIMOUSLY BY THE GOVERNORS' CONFERENCE AT SAN JUAN, P.R., AUGUST 5, 1959, FAVORING THE ENACTMENT OF LEGISLATION FOR THE ESTABLISHMENT OF AN ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

Whereas during five decades, the annual Governors' conference has given frequent recognition to the need for more coordination and cooperation between the States and the Federal Government; and

Whereas in past conferences, the Governors have encouraged and supported efforts to improve Federal-State relations, and to strengthen State and local government, including the establishment of a temporary Commission on Intergovernmental Relations in 1953, and the Joint Federal-State Action Committee in 1957; and

Whereas the increasing complexity of modern life has intensified the need for mutual understanding and for the continuous cooperation and coordination of activities between the levels of government in our Federal system; and

Whereas it has come to the attention of the Governors' conference that there has been initiated in the Congress of the United States, in recognition of the urgent need for action, legislation to establish a permanent bipartisan Advisory Commission on Intergovernmental Relations designed to bring together representatives of all levels of government in a united effort to preserve and improve our Federal system: Now, therefore, be it

Resolved, That the 51st Governors' conference urge the Congress to establish a permanent Advisory Commission on Intergovernmental Relations for the purposes and objectives specified in the legislation now before the Congress; and be it further

Resolved, That the Governors' conference pledge its full cooperation and support, through its individual and collective membership, toward the successful operation of the said Advisory Commission on Intergovernmental Relations and for the achievement of its objectives.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield to the Senator from Pennsylvania.

Mr. CLARK. I should like to commend my friend from Maine for his zealous activity in supporting the establishment of the Advisory Commission which, as he has pointed out, is so long overdue, having first been recommended by the Hoover Commission in 1949, I believe.

Will the Senator advise me if I am correct in my understanding that the Commission would be predominantly an Executive Commission, with minority representation from the two Houses of Congress?

Mr. MUSKIE. There would also be representation, I should like to point out to the Senator, from State legislatures.

Mr. CLARK. Yes. But am I not correct in my understanding that of the 27 members of the Commission the President would appoint 21?

Mr. MUSKIE. The Senator is correct.

Mr. CLARK. There would be six members from the Congress; three from the Senate and three from the House of Representatives?

Mr. MUSKIE. The Senator is correct.

Mr. CLARK. I believe the Senator is aware of my bill, S. 1431, which has also been favorably reported by the Committee on Government Operations.

Mr. MUSKIE. Yes; I am aware of the bill.

Mr. CLARK. Does the Senator not think that my bill and the bill under consideration cover quite different areas of investigation and study, and that there is no overlap between the two so far as the need for further inquiry is concerned?

Mr. MUSKIE. Yes. I think the Senator would be interested in a statement made by Mr. Meyer Kestnbaum in the hearings on the bill.

Mr. CLARK. Indeed I would be interested. Mr. Kestnbaum happens to be a good friend of mine.

Mr. MUSKIE. He is a very able gentleman.

Mr. CLARK. Indeed he is.

Mr. MUSKIE. I will quote from Mr. Kestnbaum's statement, as follows:

If such a commission is established properly, I should say that it could render a useful and important service; that its work need not conflict with other committees that are now under consideration, such as the one on metropolitan areas proposed by Senator CLARK, because the problems of metropolitan government will be with us for a long, long time.

Mr. CLARK. I thank my good friend for that citation from my friend Mr. Meyer Kestnbaum, who also is one of President Eisenhower's advisers in this area.

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which he has outlined, I certainly would not object to it.

Mr. ERVIN. Will the Senator yield?

Mr. MUSKIE. I am happy to.

Mr. ERVIN. On that point I do not like to disagree with my able and distinguished friend from Arkansas, but if the American people are wise enough to elect a Democratic Congress and at the same time indulge in enough foolishness to elect a Republican President, I would be willing for them to have that privilege.

Mr. FULBRIGHT. Indefinitely?

Mr. ERVIN. Yes; as long as the American people want it.

Mr. FULBRIGHT. Does the Senator believe that the way the Government is operating at present, and has operated for the past several years, is a satisfactory way to operate the Government of a great country?

Mr. ERVIN. It is not the most efficient way the Government could be operated, and it is not the wisest way. Undoubtedly the wisest way would be to have the Democratic Party in control of all the departments of the Federal Government; but I think we should extend to the people the liberty of acting foolishly in some respects, as the Constitution authorizes them to do.

Mr. FULBRIGHT. However, I think we should do all we reasonably can to encourage them to act wisely in the administration of their governmental affairs.

Mr. ERVIN. So long as we do not coerce them into doing so.

Mr. FULBRIGHT. I did not bring up the question of coercion. The proposed agency would be an advisory commission, to study and present problems for the people to understand. My opinion is that under this division of authority the people will be confused as to where responsibility lies for inefficiency of the Government. The executive takes one view, and the legislative another. Each says that the other is at fault, and the poor people who are trying to make a living out in the hinterland are unable to say who is to blame.

Mr. ERVIN. That is correct.

Mr. FULBRIGHT. They are unable to reach a decision which would be wise; and I am trying to help them a little.

Mr. ERVIN. The popular idea in many areas of the country is that the President is protecting the people against a spending Congress. The facts are that the Congress has appropriated more than \$600 million less than the President has urged.

Mr. FULBRIGHT. It will be more than \$1.5 billion according to the most recent calculation I saw on the majority leader's desk, if the measures on which action has not been completed go as we expect. The figure will be about \$1.8 billion.

Mr. ERVIN. I am speaking about bills acted on thus far.

Mr. FULBRIGHT. I think there is a very great defect in our system. Such a situation could not occur in a parliamentary system. I know it is unrealistic to propose a parliamentary system to this

body, but I think it is significant that all other really democratic countries of any significance that have lasted for any period have had a system under which this sort of situation could not occur.

Mr. MUSKIE. For the past 4 years I had the responsibility and experienced the frustrations of working under a similar division of authority between the executive and the legislative branches, when I was Governor of Maine, with a Republican legislation. The Government worked fairly smoothly; but on one point the Senator touched upon, namely, that the people are likely to be confused as to who is at fault when this kind of government does not produce the results they want, I must say that during those 4 years I found, much to my pleasure, that the people tended to blame the legislature, which speaks with many voices, rather than the chief executive, who speaks with one voice.

Mr. FULBRIGHT. The Senator is absolutely correct; and if that is true in a small community like Maine, how much more true it is in an enormous community of 50 States.

This was exactly what happened in the 80th Congress. The President was able to sell the country on the idea that everything wrong with the Government was attributable to the Congress. I foresee the same thing happening in the next election. Already, in spite of the facts, which are clear, many are under the impression that we are profligates, spendthrifts, throwing the people's money away, although the figures very clearly show that we shall be approximately \$1½ billion under the President's requests.

This is only one of the results of the confusion. I come back to the main point. I think the country should realize what is involved, and what the situation is, with this division of authority. I think we should give attention to it. I believe that a Commission such as the one proposed would be the ideal body to focus attention on it and possibly make recommendations.

I foresee that it will be extremely difficult for the Democrats, no matter how good a program they may put through Congress, to get their message across to the people, with a Republican in the White House. We do not have much influence with any of the press or any of the national magazines. Only a few newspapers of local interest support us. No matter what we do, the situation is very difficult. For the long-term future of the country, I think it is well that we control the Congress for a short period, in order that the issue may be made clear.

I do not know how we shall get out of the miasma or confusion we are in with regard to governmental responsibility. We have been in it for a long time. This is a very serious matter.

Mr. MUSKIE. I agree with the Senator.

Mr. FULBRIGHT. Why can we not have a commission study the problem and focus attention on it, and perhaps make some suggestions as to needed reforms in our political system?

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. THURMOND. I observe on page 10 a declaration of the purposes of the bill. To refer to only one—

It is intended that the Commission, in the performance of its duties, will—

(6) Recommend, within the framework of the Constitution, the most desirable allocation of governmental functions, responsibilities, and revenues among the several levels of government.

There are seven different points listed. I would presume, from the statement I have just quoted, that the Senator would conceive that the purpose of the Commission would not be to attempt to allocate fields of taxation to Federal, State, county, or municipal governments, other than in consonance with the Constitution.

Mr. MUSKIE. The Senator is correct. I emphasize the point that the Commission would merely be an advisory body, in this respect, advising the executive and legislative branches at all levels of government involved in a particular recommendation, as to the Commission's view of the particular problem.

Mr. THURMOND. Whatever the Commission did, of course, would be in an advisory capacity, or in the nature of recommendations to the Congress, in the event it felt that changes were needed.

Mr. MUSKIE. The Senator is absolutely correct.

Mr. THURMOND. I read an article recently in a magazine which raised several points which I wish to clear up with the Senator.

One objection to the proposed Commission that was raised was that it was alleged that the Commission would encourage direct subsidies to cities. Will the Senator comment on that?

Mr. MUSKIE. That is not the intention with respect to the Commission at all. I think the Senator would be interested in looking over the list of sponsors of the bill. I think he will see included in the list of sponsors Senators who are on different sides of this question, as to what the Federal Government should be doing or not doing with respect to particular services. I believe that the significance of this plan is that almost all the sponsors of the proposed legislation feel that once the facts are disclosed with respect to any particular program, new or old, or proposed, the facts may or may not support a particular philosophy as to what level of government should perform the service.

All the Commission is designed to do is to make studies, ascertain the facts, and make the evaluation. Its function would not be to support any particular philosophy as to what levels of government should be performing given services.

Mr. THURMOND. I am sure the Senator would not conceive the Commission to be any type of device which would attempt to short circuit State governments.

Mr. MUSKIE. I think the Senator might be interested in the following statement in the committee report, which bears on the point he is making:

The committee desires to stress, in this connection, that it does not intend this coverage to mean that representatives of the various levels will act as special pleaders for those levels, or that members of the Commission will regard themselves primarily as representatives of any particular group, level of government, or geographic area for the advancement of a special interest.

Mr. THURMOND. Another point that was made in the article was that the Commission would exert pressure for greater governmental spending at all levels.

Would the Senator comment on that?

Mr. MUSKIE. On the contrary, if the facts supported such a conclusion, the Commission may very well, in its judgment, recommend a reduction in the Federal levels. I think the Senator from South Carolina would be interested in the report of the Fountain Subcommittee of the House Committee on Government Operations. This report was the result of 3 years of study by the Fountain subcommittee of the grant-in-aid areas of cooperation between the Federal and State Governments.

If the Senator will read that report, I think perhaps it would constitute a better reassurance to him than anything I could say. In the opinion of the Fountain subcommittee, the grant-in-aid function has a very definite, useful purpose, for it is designed in many instances to stimulate particular programs. If, in many instances, when the results of that stimulus have been achieved, Congress and the States ought to give consideration to the withdrawal of the Federal Government from particular areas. So this proposal could be a two-way street.

It may result, in some instances, in the Commission advising Congress and the executive branch that the Federal Government ought to be doing more in some areas. It may result, in some instances, in the Commission recommending to Congress and the Chief Executive that the Federal Government do less in some areas. There is no fixed preconception as to what the Commission's recommendations would be, and no fixed preconception of the philosophy of government which the Commission would support.

Mr. THURMOND. Certainly in construing what the Senator from Maine says, it would not be the type of commission which would encourage big spending. On the other hand, it might possibly encourage a reduction in expenditures. It might bring about economy and eliminate duplication in Government, and therefore result in a more cheaply operated Government, if one wished to express it in that way.

Mr. MUSKIE. On that score, I think the testimony of Mr. Meyer Kestnbaum, a part of which I have already placed in the RECORD, should be placed at this point in the RECORD. I think it would answer more fully the questions raised by the Senator from South Carolina.

Mr. President, I ask unanimous consent that the testimony of Mr. Meyer

Kestnbaum before the joint hearings be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF HON. MEYER KESTNBAUM, FORMER CHAIRMAN, COMMISSION ON INTERGOVERNMENTAL RELATIONS, AND PRESENTLY A FEDERAL MEMBER OF THE JOINT FEDERAL-STATE ACTION COMMITTEE

Mr. KESTNBAUM. Thank you, Mr. Chairman. I appreciate very much the opportunity to appear before the committee and discuss the bills which have been introduced with a view to establishing an Advisory Committee on Intergovernmental Relations.

As you know, Mr. Chairman, my interest in this subject goes back to the time when I was appointed Chairman of the Commission on Intergovernmental Relations, and as you have been good enough to suggest, I am here in my capacity as a citizen and as a former Chairman of that Commission.

I hope that you will permit me, first to applaud the work that has been done by your subcommittee. To my mind this has been a most objective, painstaking, and thorough inquiry into a most complicated subject. You have developed testimony and reports that are going to be extremely valuable to all students of the subject, and I know of no inquiry of this kind that has been conducted on a more objective basis, in the spirit of ascertaining the true facts.

Representative FOUNTAIN. Thank you very much.

Mr. KESTNBAUM. The bill which has been introduced addresses itself to what I regard as a most important objective, to give the President and the Congress the benefit of a continuing study of one of the most perplexing problems that our country faces; namely, the proper coordination of the activities of the various levels of government in order to achieve our national objectives.

Our Federal system has withstood many strains in the course of our history. It probably faces a greater strain at the present time than at any previous time in our history, because of the rapid economic and social changes that have taken place and because of the impact of these changes on our communities and of our very natural desire to use the good offices of government for the improvement of our society at a time when our ideas of what is appropriate are expanding very rapidly.

I am sure I need not remind you that the Commission in making its report had in mind the fact that its study was only the beginning of a real inquiry into the whole subject.

If I may quote from a letter which I addressed to the President at the time the report was submitted I said:

"We are hopeful this report will be regarded as the beginning rather than the end of a contemporary study of the subject of intergovernmental relations, and that it will stimulate all levels of government to examine their respective responsibilities in a properly balanced Federal system."

Now that the National Government has undertaken through this committee a very thorough study, I would hope that in due course other levels of government, particularly the States, would undertake similar studies of the problems which they face in their own jurisdictions and in their relationships with other levels of government.

I should like to go on record as saying that the idea of a commission that will give the President and the Congress the benefit of careful incisive research and examination of the many problems that face us in this area, is sound, and that it can fulfill a very important and useful function.

It seems to me appropriate also to point out some of the problems which such a com-

mission may face, because its success, in my judgment, will depend on whether these problems are faced squarely and are taken into account in the very organization of the Commission itself.

We face problems in connection with the appropriate division of labor among levels of government, because of the very rapid changes that have taken place to which I have already alluded, and because the total weight of all government is increasing tremendously. And as one looks forward to the next decade, it seems inevitable that National, State, and local governments will all be asked to assume larger responsibilities, and that the limiting factor will be not a limitation on what our people think they ought to have in the way of services, but rather our capacity to pay for them. It has already been demonstrated that the American people have a voracious appetite for goods and services, and it may be said, I think properly, that the American people want more in the way of services than they are willing to pay for. Many people suffer from the illusion that somehow if these services are provided in Washington, they do not need to be paid for, or at least that they themselves will not have to pay for them, but that they will be paid for by someone else.

Ultimately all of these questions inevitably take on important fiscal implications, and it is in the area of fiscal responsibility that many of the problems make their greatest impact. Very often arguments that are advanced on grounds of equity and justice, when examined closely really relate to the question of where the burden is going to fall—on what level of government—and often there is a kind of naïveté, as to how these things ultimately are paid for.

Therefore, Mr. Chairman, it would seem to me that it would be unfortunate if a commission such as is proposed, which I believe could perform a most useful service, were to begin its work by encouraging the belief that it is a device to permit various levels of government to present claims to the National Government, and that in some way through this procedure the appropriate levels of State government can be bypassed. That is to say, if the proposed commission were to encourage municipal and county officials to believe that the commission is a clearinghouse or a forum through which the needs of the communities are to be explored, and pressures of various kinds are to be brought upon the Congress, on the theory that the State governments are neither ready nor willing to assume their proper responsibilities, the net effect could be most unfortunate.

It seems to me, therefore, that somewhere in the mandate of the commission, itself, there ought to be a rather clear statement of the fact that the commission is being organized for the purpose of facilitating discussion of the problems which beset it, of pointing up the responsibilities as they appear, of admonishing the proper level of government when it fails to meet these responsibilities. We seek to retain the values of our Federal system, not to change it into something that would be quite different and which would have the effect in the long run of doing violence to the balanced system that was established by our Founding Fathers and has stood us in good stead throughout our history.

To supplement these observations, I should like to add just a few comments on this matter of fiscal responsibility. There is no need for me to dwell on the problems of the National Government. These have been amply presented, and certainly a committee of the Congress needs no instruction from me on that point.

On the whole, as one looks at the national scene, it would appear that the Na-

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tional Government has serious problems, that it is currently operating at a deficit, that the local governments, particularly the metropolitan areas, are also faced with tremendous problems which are somewhat beyond their capacity in many instances, and that, on the whole, State governments have been rather slow in facing up to the problems of their citizens in the metropolitan areas and have been content to permit the short-circuiting of their responsibilities by programs under which the municipalities and metropolitan areas have brought their problems to Washington.

A great deal of this revolves around the fact that the States take the view that the National Government has largely preempted many sources of revenue by its high rate of taxation, that as a result the revenues available to the States have been greatly diminished.

We also have to deal with the view that certain types of taxation are undesirable from an economic or social point of view. I am now referring to taxes on consumption, for example, which in the opinion of many of our people are regressive and are therefore not the appropriate means for enlargement of tax revenues.

It would be inappropriate for me to attempt to discourse on the subject of taxation, on which I am not an expert, but I would offer the observation that there has been demonstrated in many parts of the world, notably in Canada, the revenue-producing power of forms of taxation that are related to consumption. When we consider the great needs which we face in many areas, we ought not to dismiss lightly the necessity of broadening the tax base so that it includes the great mass of our people.

I believe many competent authorities have indicated that the amount of additional revenue that is available to us through increases in the rate of income tax, either individual or corporate tax, is now quite limited.

Therefore, it seems to me that the States must give consideration to developing sources of revenue which will provide them and their political subdivisions with the kind of income that is needed to meet the greatly enlarged responsibilities which they face. And it must be evident that in the next decade or two the responsibilities of State and local government are likely to grow even more rapidly than those of the National Government. The role of the National Government is extremely important in terms of directing the attention of our people to the areas in which the national interest is paramount, and a commission such as is proposed could render a very useful service in making available not only to the President and the Congress, but also to our citizens the relative importance of the objectives to which the various levels of government are striving.

Unless this is done with a willingness to examine these questions critically, and unless there is willingness to ask each level of government to assume its proper responsibilities, we could develop a situation which would hamper the effective relationships between the various levels of government rather than advance them.

Therefore, if I may sum up what I have to say, Mr. Chairman, it would be this: I applaud the work which has been done by this subcommittee. It has been very valuable and highly constructive. The proposal for a commission follows logically from the work that has been done by the subcommittee. It seems to me to deserve wide support. It seems to me also that the effective functioning of such a commission must be taken into account before it is actually enacted, its mandate must be clear so that there is no disposition on the part of the State or local governments to misunderstand

the purposes for which the commission is established.

If such a commission is established properly, I should say that it could render a useful and important service; that its work need not conflict with other committees that are now under consideration, such as the one on metropolitan areas proposed by Senator CLARK, because the problems of metropolitan government will be with us for a long, long time. A commission such as is proposed can perform a useful and important function if it is properly organized, properly manned, and if it has the kind of support from the Congress and the people that will permit it to bring to its work a real spirit of inquiry. It should not become merely a platform for special pleading or for the assertion of special interests in our society.

Thank you very much.

Mr. THURMOND. Mr. President, I shall ask the Senator from Maine one more question. Does the Senator fear that the commission would possibly be dominated from the Federal level? I ask that question knowing that only six members are to be appointed by the President; three are to be Senators; three are to be House Members; four are to be Governors; three from State legislative bodies; four are to be mayors; and four are to be county officers. So the majority of the 27 members of the Commission would come from the State, county, and municipal levels. In fact, only 12 would come from the Federal level—six to be named by the President, and three to be Senators and three to be House Members.

Mr. MUSKIE. Three of the twelve to be appointed by the President would not be representatives of any level of government, but would be members of the public at large.

Mr. THURMOND. Of the six appointed by the President, I believe three would be from the executive branch and three are private citizens.

Mr. MUSKIE. The Senator is correct.

Mr. THURMOND. Of course, 3 are from the Senate and 3 from the House, which makes a total of 12 from the Federal level.

Numerically, of course, there would appear to be no danger of any Federal domination. I am simply wondering whether the Senator believes that that would be the actual case in operation; that the commission would not be dominated from the Federal level, but that the states, counties, and municipalities would have full representation or would be in such strength that their views could be placed before the commission and before the country in the proper light.

Mr. MUSKIE. I think the answer to the Senator's question must be found not in the legislation which, through mathematics, the committee membership has undertaken to achieve the objective the Senate has in mind, but lies rather in the kind of persons who will be appointed to serve on the Commission.

I think it would be of interest to the Senator to know that the United States Conference of Mayors, the Governors' Conference, and the Association of County Officials, as well, all enthusiastically support the Commission and give every indication, by the kind and qual-

ity of their support, that they enthusiastically intend to participate vigorously in the work of the Commission. If they do, then I have no fear that there will be domination on the part of the Federal Government.

Mr. THURMOND. As the Senator from Maine knows, I am vitally interested in the separation of the rights between the Federal Government and the States. The Constitution has delegated to the Federal Government certain powers, and has reserved all other powers to the States. I am sure the Senator could give assurance that, in his opinion, the Commission will operate within the framework of the Constitution, and that there will not be efforts to go beyond the Constitution and bring about changes, even though apparently beneficial, which would tend to violate the Constitution.

Mr. MUSKIE. It is certainly the intent of the framers of the proposed legislation to undertake to achieve a balance within the limits of the Constitution and a balance and coordination among the various levels of Government.

Mr. THURMOND. I thank the distinguished Senator from Maine.

Mr. MUSKIE. I thank the distinguished Senator from South Carolina for his colloquy and his contribution to an understanding of the bill.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. ERVIN. The Senator from Maine mentioned the work of the Fountain subcommittee of the House Committee on Government Operations. This committee is headed by Representative LAWRENCE H. FOUNTAIN, of the Second Congressional District of North Carolina. Representative FOUNTAIN did magnificent work in this field and has done outstanding work in advocating the proposed legislation which the Senate is now considering. I simply bear witness to the fact that Representative FOUNTAIN, and the able and distinguished Senator from Maine, both merit the thanks of the American people for the fine work they have done in connection with the bill.

Mr. MUSKIE. I thank the Senator from North Carolina. I should like at this time to pay my tribute to the outstanding efforts of Representative FOUNTAIN in behalf of the bill.

Mr. KEATING. Mr. President, will the distinguished Senator from Maine yield?

Mr. MUSKIE. I yield.

Mr. KEATING. There was so much mumbling going on on this side of the aisle that I had to follow the practice of the distinguished Senator from Oregon [Mr. MORSE] and come over to this side so that I could hear the Senator. The distinguished Senator from Arkansas [Mr. FULBRIGHT] indicated that there is some dire problem when Congress and the President are of different political parties. I remember well that he asked for the resignation of President Truman because a Republican Congress had been elected. I felt that

that was unwise at the time; I think it is unwise today. I do not know how he feels about it today.

I hope the commission, to be established for the purpose of studying intergovernmental relations, will not deteriorate into a body for the discussion or the consideration of extraneous matters such as those brought up by the distinguished Senator from Arkansas.

I support the bill. I myself introduced a bill to establish a joint committee for the same purpose. I happen to favor the joint committee approach. But I certainly support the proposal of the distinguished Senator from Maine.

Mr. MUSKIE. I thank the Senator from New York.

Mr. KEATING. Mr. President, I ask unanimous consent that a statement which I have prepared in support of the bill be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR KEATING ON ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

I wish to comment on the importance of devoting careful study at a high level to the problems which we face in the general area of intergovernmental relations. This is by no means the first time that I have spoken on this subject. In fact, my first speech as a member of the Senate dealt with the need for measures to effectively remedy problems pertaining to economic relations between the Federal Government and the States. On that occasion, I urged that a Joint Committee of Congress on Federal-State Economic Relations be set up to formulate a comprehensive program of action to alleviate these difficulties. Several weeks ago, on August 11, I introduced Senate Concurrent Resolution 70 to accomplish this purpose.

The Federal Government has on many occasions dealt effectively and swiftly with problems in which the authority of the various governmental units have clashed. Students of American Government have studied these problems, and have produced many useful and illuminating proposals for dealing with them. Several official governmental bodies have been established with a mandate to further this research and to systematize and publicize that which has already been completed. A great wealth of literature has been developed on this subject.

The bill which is before us today envisions a further step in the treatment of problems in the field of Federal-State relations. It would establish a mechanism whereby information and research materials in this field would be collected and analyzed at the highest level of our Government. Briefly stated, an Advisory Commission on Intergovernmental Relations, as proposed in the bill before us today, would serve in a top-level capacity as a study and advisory unit dedicated to the betterment of governmental relations between the Federal Government and its various component units.

There are several alternative ways in which problems of Federal-State relations could be handled. It is my own feeling that this purpose would be best accomplished by a joint congressional committee rather than by an Advisory Commission. A congressional committee would, in my opinion, be more able to initiate direct action implementing specific proposals to improve intergovernmental relations. Perhaps this is the next step beyond the Commission which we contemplate today. Although I favor this particular approach, I certainly do not want

to prevent Congress from taking the important step forward which the legislation before us would accomplish.

It is of great importance to me that every opportunity be taken to devise new and better ways to approach the overwhelming tasks with which our Federal Government is faced. I support this bill because I welcome action which will allow us to tap the ideas of both experts and practitioners in the field of government. It is my view that government, to be effective, must work with and place great reliance upon creative individuals who are seeking to meet new challenges with new ideas. The action which we are asked to take today in establishing an Advisory Commission on Intergovernmental Relations constitutes a significant step endorsing the spirit of political innovation which is so essential if we are to successfully meet the great domestic and international problems with which the United States is faced.

Mr. MCCARTHY. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. MCCARTHY. Before the Senator from New York goes back to his own side of the aisle—I assume he is returning—I may say that I asked the Senator from Maine to yield to me so that we could make clear that the visit by the Senator from New York is a temporary one.

Mr. KEATING. I assure the Senator from Minnesota that it is temporary. He need have no worry.

Mr. MCCARTHY. It is only for today?

Mr. KEATING. It is simply in order to hear better. There is so much mumbling that goes on over here, that we cannot hear on our side of the aisle what is being said on this side of the aisle. I have simply moved over, as the Senator from Oregon did the other day. He was having the same difficulty then as I am having now. He could not hear the majority leader.

I simply came over to this side of the aisle to listen. I give my pledge to the distinguished Senator from Minnesota that I shall stay here only long enough to listen; then I shall return to the proper side of the aisle.

Mr. MCCARTHY. So long as the Senator from New York is forewarned, it is all right. But he knows it is extremely dangerous to come close enough to hear what the Democrats have to say, for fear he might be converted.

Mr. KEATING. No. There is no danger of that, although I find among Senators on this side of the aisle some of my very best personal friends, including the distinguished majority leader, who I see has come to the floor after arduous work in other areas. I do not see how he handles his big job.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Maine yield?

Mr. MUSKIE. I yield.

Mr. JOHNSON of Texas. I thank the Senator from New York for his generosity. I have not just come to the floor. But I am delighted that the Senator has been so busy that he could not observe me. I have been transacting business toward the rear of the Chamber.

Mr. KEATING. I do not see how the distinguished Senator from Texas does all that he does.

Mr. JOHNSON of Texas. Sometimes I wonder myself.

Mr. KEATING. The Senator from Texas is on the floor more than any other Senator.

Perhaps the Senator from Texas did not hear the Senator from Arkansas speak. That was what I was commenting on, primarily.

Mr. MCCARTHY. I could continue to raise questions, including one which was suggested by the remarks of the Senator from New York, in that he said he was unhappy about what happened in the last election, since at that time he was opposed to divided government.

In view of the fact that all the experts now forecast that, regardless of what happens in the election in 1960, the Congress will continue to be controlled by the Democratic Party, I wonder whether the Senator from New York will carry his preference so far as to be opposed to having a Republican President in 1960. Perhaps he will agree that there should be a Democratic President at that time, so as to be assured that we would not have a divided government.

Mr. KEATING. Mr. President, the Senator from Minnesota misunderstood me. A divided government works—although not as well as when the control of both the executive branch and the legislative branch is in the same party.

But the Senator from Arkansas objected. The Senator will remember how he wanted to have President Truman resign, in order that a Republican could be made President—although he did not specify just what Republican would be selected, or how that detail would be worked out. If I had known how he would have worked it out, I might have been more sympathetic to his proposal.

Mr. MCCARTHY. I thought the Senator from New York subscribed to that idea—at least, back in 1958.

Mr. KEATING. No; I was referring to the statement by the Senator from Arkansas that dire results would come from divided control.

I think it preferable to have the control of both the executive branch and the legislative branch of the Government in one party—but not so preferable or so desirable as to warrant the drastic arrangement of having a Democratic President. [Laughter.]

Mr. MCCARTHY. I appreciate the contribution the Senator from New York has made while he has been standing on this side of the aisle.

Mr. KEATING. Well, it has been a pleasure to me to stand on the Senator's side of the aisle for a time, and I have enjoyed myself while I have been here.

Mr. MCCARTHY. We have been glad to have the Senator from New York here for even so short a period of time. [Laughter.]

Mr. President, let me say that in the last few weeks the Congress has taken action on 3 or 4 bills which have involved the question of State-Federal relationships, and with regard to which those relationships have constituted an important consideration. In that connection, for instance, let me refer to the bill, recently passed by the Senate, which provided for the taxes on interstate sales by

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certain corporations; also the highway bill, which involved the question of financing and the question of control of the rights-of-way; and also the labor bill, in connection with which one of the important points for consideration was the so-called no man's land question. In short, almost any major issue which relates to or involves Federal-State governmental control deserves attention of this sort.

So I am sure all my colleagues join me in commending the Senator from Maine [Mr. MUSKIE] for having taken the initiative in regard to the establishment of such a commission. On the basis of his record as the Governor of Maine and his record here in the Senate, I am sure that we need have no concern as to whether the study will be an objective one. Certainly we are assured that it will be orderly, thorough, and objective.

Mr. BARTLETT. Mr. President, will the Senator from Maine yield to me?

Mr. MUSKIE. I am happy to yield to the Senator from Alaska.

Mr. BARTLETT. Mr. President, I wish to join the Senator from Minnesota in stating that certainly the Senator from Maine is to be commended for his presentation of the bill to the Senate.

I had some questions about the bill, but they have been completely answered by the lucid and thorough explanation the Senator from Maine has given. I am sure his guidance and leadership in connection with this important matter will assure the taking of this forward step in coordination between the various branches of government in our country.

Mr. MUSKIE. I thank the Senator from Alaska for his generous remarks.

Mr. President, before I conclude my remarks on the bill, I should like to complete paying my compliments to Representative FOUNTAIN. Without the outstanding work he did, the bill would not have been prepared. He worked very hard for years, both on the hearings and on the Kestnbaum report; and those hearings and that thorough consideration resulted in the production of this bill. I was able to work with him because of my experience as Governor. Certainly it has been a real privilege to work with him on the bill.

The PRESIDING OFFICER (Mr. CANNON in the chair). The question is on agreeing to the committee amendment, which will be stated.

The amendment of the Committee on Government Operations was to strike out all after the enacting clause and insert:

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

SECTION 1. There is hereby established a permanent bipartisan commission to be known as the Advisory Commission on Intergovernmental Relations, hereinafter referred to as the "Commission".

DECLARATION OF PURPOSE

SEC. 2. Because the complexity of modern life intensifies the need in a federal form of government for the fullest cooperation and coordination of activities between the levels of government, and because population growth and scientific developments portend an increasingly complex society in future years, it is essential that an appropriate agency be established to give continuing attention to intergovernmental problems.

It is intended that the Commission, in the performance of its duties, will—

(1) bring together representatives of the Federal, State, and local governments for the consideration of common problems;

(2) provide a forum for discussing the administration and coordination of Federal grant and other programs requiring intergovernmental cooperation;

(3) give critical attention to the conditions and controls involved in the administration of Federal grant programs;

(4) make available technical assistance to the executive and legislative branches of the Federal Government in the review of proposed legislation to determine its overall effect on the federal system;

(5) encourage discussion and study at an early stage of emerging public problems that are likely to require intergovernmental cooperation;

(6) recommend, within the framework of the Constitution, the most desirable allocation of governmental functions, responsibilities, and revenues among the several levels of government; and

(7) recommend methods of coordinating and simplifying tax laws and administrative practices to achieve a more orderly and less competitive fiscal relationship between the levels of government and to reduce the burden of compliance for taxpayers.

MEMBERSHIP OF THE COMMISSION

SEC. 3. (a) The Commission shall be composed of twenty-seven members, as follows:

(1) Six appointed by the President of the United States, three of whom shall be officers of the executive branch of the Government, and three private citizens, all of whom shall have had experience or familiarity with relations between the levels of government;

(2) Three appointed by the President of the Senate, who shall be Members of the Senate;

(3) Three appointed by the Speaker of the House of Representatives, who shall be Members of the House;

(4) Four appointed by the President from a panel of at least eight governors submitted by the Governors' Conference;

(5) Three appointed by the President from a panel of at least six members of State legislative bodies submitted by the board of managers of the Council of State Governments;

(6) Four appointed by the President from a panel of at least eight mayors submitted jointly by the American Municipal Association and the United States Conference of Mayors;

(7) Four appointed by the President from a panel of at least eight elected county officers submitted by the National Association of County Officials.

(b) The members appointed from private life under paragraph (1) of subsection (a) shall be appointed without regard to political affiliation; of each class of members enumerated in paragraphs (2) and (3) of subsection (a), two shall be from the majority party of the respective houses; of each class of members enumerated in paragraphs (4), (5), (6), and (7) of subsection (a), not more than two shall be from any one political party; of each class of members enumerated in paragraphs (5), (6), and (7) of subsection (a), not more than one shall be from any one State; at least two of the appointees under paragraph (6) of subsection (a) shall be from cities under five hundred thousand population.

(c) The term of office of each member of the Commission shall be two years, but members shall be eligible for reappointment.

ORGANIZATION OF THE COMMISSION

SEC. 4. (a) The President shall convene the Commission within ninety days following enactment of this Act at such time and place as he may designate for the Commission's initial meeting.

(b) The President shall designate a Chairman and a Vice Chairman from among members of the Commission.

(c) Any vacancy in the membership of the Commission shall be filled in the same manner in which the original appointment was made; except that where the number of vacancies is fewer than the number of members specified in paragraphs 4, 5, 6, and 7 of section 3(a), each panel of names submitted in accordance with the aforementioned paragraphs shall contain at least two names for each vacancy.

(d) Where any member ceases to serve in the official position from which originally appointed under section 3(a), his place on the Commission shall be deemed to be vacant.

(e) Fourteen members of the Commission shall constitute a quorum, but two or more members shall constitute a quorum for the purpose of conducting hearings.

DUTIES OF THE COMMISSION

SEC. 5. It shall be the duty of the Commission—

(1) to engage in such activities and to make such studies and investigations as are necessary or desirable in the accomplishment of the purposes set forth in section 2 of this Act;

(2) to consider, on its own initiative, ways and means for fostering better relations between the levels of government;

(3) to submit an annual report to the President and the Congress on or before January 31 of each year. The Commission may also submit such additional reports to the President, to the Congress or any committee of the Congress, and to any unit of government or organization as the Commission may deem appropriate.

POWERS AND ADMINISTRATIVE PROVISIONS

SEC. 6. (a) The Commission or, on the authorization of the Commission, any subcommittee or members thereof, may, for the purpose of carrying out the provisions of this Act, hold such hearings, take such testimony, and sit and act at such times and places as the Commission deems advisable. Any member of the Commission may administer oaths or affirmations to witnesses appearing before the Commission or any subcommittee or members thereof.

(b) Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Commission, upon request made by the Chairman or Vice Chairman, such information as the Commission deems necessary to carry out its functions under this Act.

(c) The Commission shall have power to appoint, fix the compensation of, and remove a staff director without regard to the civil-service laws and the Classification Act of 1949. Such appointment shall be made solely on the basis of fitness to perform the duties of the position and without regard to political affiliation.

(d) Subject to such rules and regulations as may be adopted by the Commission, the Chairman, without regard to the civil-service laws and the Classification Act of 1949, and without reference to political affiliation, shall have the power—

(1) to appoint, fix the compensation of, and remove such other personnel as he deems necessary,

(2) to procure temporary and intermittent services to the same extent as is authorized by section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a) but at rates not to exceed \$50 a day for individuals.

(e) Except as otherwise provided in this Act, persons in the employ of the Commission under subsections (c) and (d)(1) of this section shall be considered to be Federal employees for all purposes, including—

(1) the Civil Service Retirement Act, as amended (5 U.S.C. 2251-2267),

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(2) the Federal Employees' Group Life Insurance Act of 1954, as amended (5 U.S.C. 2091-2103),

(3) annual and sick leave, and

(4) the Travel Expense Act of 1949, as amended (5 U.S.C. 835-842).

(f) No individual employed in the service of the Commission shall be paid compensation for such employment at a rate in excess of \$20,000 per annum.

COMPENSATION OF COMMISSION MEMBERS

SEC. 7. (a) Members of the Commission who are Members of Congress, officers of the executive branch of the Federal Government, Governors, or full-time salaried officers of city and county governments shall serve without compensation in addition to that received in their regular public employment, but shall be allowed necessary travel expenses (or, in the alternative, a per diem in lieu of subsistence and mileage not to exceed the rates prescribed in the Travel Expense Act of 1949, as amended), without regard to the Travel Expense Act of 1949, as amended (5 U.S.C. 835-842), the Standardized Government Travel Regulations, or section 10 of the Act of March 3, 1933 (5 U.S.C. 73b), and other necessary expenses incurred by them in the performance of duties vested in the Commission.

(b) Members of the Commission, other than those to whom subsection (a) is applicable, shall receive compensation at the rate of \$50 per day for each day they are engaged in the performance of their duties as members of the Commission and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Commission, as provided for in subsection (a) of this section.

AUTHORIZATION OF APPROPRIATIONS

SEC. 8. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. MUSKIE. Mr. President, I move that the Senate proceed to consideration of Calendar No. 733, House bill 6904, to establish an Advisory Commission on Intergovernmental Relations.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. MUSKIE. Mr. President, I move that all after the enacting clause of House bill 6904 be stricken out, and that there be substituted therefor the text of Senate bill 2026, as amended.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Maine.

The motion was agreed to.

The PRESIDING OFFICER. The question now is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill (H.R. 6904) was read the third time and passed.

The PRESIDING OFFICER. Without objection, Senate bill 2026 will be indefinitely postponed.

Mr. MUSKIE. Mr. President, I move that the vote by which House bill 6904 was passed be reconsidered.

Mr. JOHNSON of Texas. Mr. President, I move to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. MUSKIE. Mr. President, I move that the Senate insist upon its amendment, request a conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. MUSKIE, Mr. HUMPHREY, and Mr. MUNDT the conferees on the part of the Senate.

EXHIBIT 1

STATEMENT OF HON. GORDON S. CLINTON, MAYOR OF THE CITY OF SEATTLE, WASH.

MAYOR CLINTON. Thank you, Mr. Chairman. Mr. Chairman, members of the joint committee, my name is Gordon S. Clinton. I am mayor of the city of Seattle, Wash., appearing here before you today both in my capacity as mayor of Seattle and on behalf of the American Municipal Association on whose executive committee I have the honor of serving.

The American Municipal Association is, as you know, the national representative of approximately 13,000 municipal governments throughout the United States and Puerto Rico. It is organized on the basis of affiliation with the State Leagues of Municipalities in 45 States plus 225 direct member cities.

Cities eligible for direct membership must have a population of 50,000 or more, or be a State capital or one of the 10 largest cities in the State.

The AMS's support for the creation of a permanent Commission on Intergovernmental Relations is of long standing.

I believe that the original resolution passed by our membership was introduced in 1954, and has been a part of our national municipal policy since that date.

We support the creation of a permanent commission for several very important reasons. The principal one of which is the fact that the existing state of intergovernmental relations is notably poor and that, so far, attempts to promote improvement have been distinguished by failure or inability to come to grips with the problem.

As I believe the members of this committee have heard at considerable length and with some repetition perhaps, the whole governments of this country are not on particularly good terms with the governments of the respective States. Part of our problems with the States stem primarily, I believe, from the fact that they, for one reason or another, are unaware of or not particularly interested in the nature and extent of the real problems being faced by the urban areas.

In fairness, it must be admitted that they, on the State level, are preoccupied with what they consider problems equally as pressing at the State level. And former Governor Muskie will certainly echo that, I am sure.

It is, I am afraid, also true that the States find urban problems complex, not amenable to easy or inexpensive solution, and therefore prefer to let the local governments go it alone.

As I think you well know, municipal governments generally prefer to deal with the Federal Government because they find it more sympathetic and responsive to urban needs. But even dealing with the Federal Government they encounter a general inability to completely comprehend the real scope of the total urban problem, and a somewhat disturbing lack of appreciation of their fiscal and administrative limitations.

We honestly believe that our problems are not fully understood nor fully appreciated at either the State or Federal levels and we certainly welcome any sort of organization which could make our problems real and compelling to the States and to our Federal Government.

Secondly, we support the creation of the Commission because by the enactment of

this measure, we will have achieved on the part of Congress and the President formal recognition that good intergovernmental relations are essential to the competent conduct of government in general.

Thirdly, a Presidential Commission with the considerable prestige that attaches to such groups provides an open forum of the kind needed to objectively analyze and discuss the functions and responsibilities of the various levels of government in the solution of problems posed by continued and accelerating population growth and urban expansion.

Fourthly, because the Commission proposal recognizes the need for equitable, responsible, and knowledgeable representation on the part of all levels of government, and I believe that is the sense of the distinguished Representative Fountain and one of the sponsors of this bill—an awareness of that, we feel, that the conclusions reached as a result of its deliberations will enjoy considerable acceptance on the part of all levels of government. Much more I might add than has been possible through the action of any committee or other ad hoc group established to carry out functions of the kind assigned by the bill to the Advisory Commission.

Finally, we believe that all levels of government should studiously and conscientiously pursue all possible courses toward the development of better and more efficient government. For, after all, that is the task of all, whether it is on a local, State, or National basis.

We are convinced that one method of securing this objective is to develop more harmonious relationships between States and Federal Government and the municipalities.

We believe that under our Federal system the fullfledged and continuing cooperation of all levels of government is mandatory. We believe it to be essential to our future as a Nation.

We also very firmly believe that the problems and areas of interest to be discussed and analyzed by the Commission must be approached with a reasonably open mind and on the basis of the realization that never in the history of our Nation have we faced the kinds and types of problems that our urban growth and development pose for us today. When we realize that almost two-thirds of the people of the United States are living in some 18 or 20 of the large metropolitan areas and that they are part of the exploding metropolis that we are all keenly conscious of, particularly those who work most directly on the local level.

I am certain that we can effect better intergovernmental relationships, that we can encourage and promote realignment of functional responsibilities at various levels of government, that we can do some within the broad framework of government laid down by our Constitution. And in so doing, be secure in the knowledge that our democratic process and individual freedoms need never be violated in the course of our work.

Representative FOUNTAIN. Thank you very much, Mayor Clinton, for your very significant contribution to the work of our committee.

Senator MUSKIE?

Senator MUSKIE. I have just one question that I would like to ask Mayor Clinton. At the outset I join Congressman FOUNTAIN in expressing appreciation of your statement. There are other questions I would like to ask but time is fleeting.

One question I would like to ask is this: One of the objections which occurs from time to time in the course of these hearings on the bills is the size of the proposed Commission. It is suggested that it would be too cumbersome and because of the fact that it cannot meet on a continuing basis, that it might not give the positive and continu-

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ing direction that the work of the Commission should have.

Of course, one of the reasons why it is so large is in order to give broad representation. Mayor CLINTON. Yes.

Senator MUSKIE. What would be your reaction to a suggestion that has been made that the Commission itself ought to be composed of three people representing each of the three levels of government and advised by the committee which is broadly representative in its makeup?

By asking the question I am not suggesting any personal reaction to it. I simply inquire as to yours.

Mayor CLINTON. As you have aptly stated, part of the sense of this proposed legislation, as I see it, is to provide adequate representation on all levels of the Government, and likewise as has been pointed out, the status and prestige involved of a commission, that is inescapable, I think we are led to that. The thing we would have to ask, in view of the problem you point up, which is a real one—because here you are calling on, for example, mayors and representatives of States, Governors, and county representatives, and there would be a need for continuing action—part of the problem is maybe a physical one. I am not satisfied just in my first reaction that a three-man commission would have the breadth that I think we would want if we were to acquire commission status.

It just seems to me, that is my first reaction, that there is a need for the President to be in on this, there is a very definite need for Congress to be aware of it. The one without the other in my judgment is not satisfactory. There is a need, yes, for the State; and this goes to the point of another level of government, the county and the municipalities with the U.S. Conference of Mayors and American Municipal Association submitting a panel from which several would be appointed.

In specific answer to your question maybe it might be unwieldy, but I think it should be more than 3, otherwise I do not think we get the broad dissemination of support and understanding, perhaps, that we are seeking in such a permanent commission as this. That is my best impression, Senator.

Senator MUSKIE. I would agree with you wholeheartedly that we must have a sense of participation by all three levels of government, that State and local governments should not be made to feel that this is simply another Federal agency.

Mayor CLINTON. That is right.

Senator MUSKIE. Which will give pious attention to their opinions and judgments and problems, but continue on its own. I agree with that wholeheartedly. I do not know how you can resolve this problem perfectly. I do appreciate your comments. Perhaps 6 or 12 might be better.

Thank you.

Representative FOUNTAIN. While taking testimony in our regional hearings, we did not have this particular legislation in mind. It is, rather, an outgrowth of the testimony which we received throughout the country. One of the things we frequently heard, particularly from city representatives, is that the point or points of view of local government are not always represented or adequately understood when public commissions study intergovernmental relations. And we found some differences of opinion as between the representatives of large metropolitan areas and those from smaller communities. And we noted the same thing with respect to the counties, where you have metropolitan counties as well as rural counties. The representation of these differing viewpoints at the local level alone makes a very small commission impractical.

Moreover, if the Advisory Commission is to function effectively, I can well envision the necessity for its working through subcom-

mittees so that certain problems will be studied by a few members of that Commission on a continuing basis.

And that is another reason for a larger commission than we might normally prefer.

I would like to ask you one other question. Which procedure do you think is preferable: Appointment of members by the President from a panel submitted by the various levels of government through their organizations, or appointment by the President in consultation with and upon the advice of these various organizations?

Mayor CLINTON. I would concur with the statement made by Senator McCARTHY. I do not think it makes too much difference. I would not labor the point, actually, but I do feel that the important part is to see to it that the executive branch and the legislative branch, together, are aware that there is not a hiatus that exists, that, for example, if Congress is aware of something that is not reflected in the executive branch and vice versa, there may be a void that exists, and something less than the complete rapport and understanding that we seek to accomplish by such a bill as you could sponsor.

Representative FOUNTAIN. One witness said this morning that he thought it possible that the various organizations might find it embarrassing to select the panel of members from which the President would make the appointments.

Mayor CLINTON. I think that could be resolved and worked out, actually.

Representative FOUNTAIN. Mrs. DWYER.

Representative DWYER. No questions.

Representative FOUNTAIN. Any other questions? (No response.)

Thank you very much. If you have any supplementary suggestions which you would like to submit to the committee for the record and for our study, we will be happy to receive them. I want to say that we are not wedded to any particular word or phrase or sentence of this bill; it is simply the best that we have been able to work out after very careful study and deliberation.

However, if it can be improved upon in the interest of accomplishing the purposes of the legislation, we certainly want to do so. I am sure that is the feeling of Senator MUSKIE and Mrs. DWYER and other members of this committee as well.

Thank you very much.

Mayor CLINTON. Thank you.

CONVEYANCE OF CERTAIN LAND TO THE CITY OF CHEYENNE, WYO.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 840, Senate bill 857.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 857) to authorize the Administrator of General Services to convey certain lands in the State of Wyoming to the city of Cheyenne, Wyo.

Mr. MORSE. Mr. President, may we have an explanation of the bill?

Mr. JOHNSON of Texas. Mr. President, Senate bill 857 provides for the transfer of approximately 30 acres of surplus land, with improvements thereon, at the Veterans' Administration Center, in Cheyenne, Wyo., to the city of Cheyenne, by quitclaim deed, without consideration. The deed (1) shall provide that the land shall be used by the city of Cheyenne for such purposes as will not in the judgment of the Administrator of Veterans' Affairs or his designee interfere with the operation of the Veterans' Administration; (2) may con-

tain such additional terms, conditions, reservations, and restrictions as may be determined by the Administrator of General Services to be necessary to protect the interests of the United States; and (3) shall provide that title to such tract shall revert to the United States upon the violation of any such terms, conditions, reservations, or restrictions.

Hearings were held on S. 857 before a special subcommittee of the Senate Committee on Government Operations on July 17, 1959. The property to which this proposed legislation relates was originally part of a 600-acre tract of land which the city of Cheyenne transferred to the Veterans' Administration for the construction of a hospital. Witnesses before the committee stated that the original cost of the 600 acres was \$5,000, and that an additional \$8,000 was spent to extend the water mains to the site. The city had to borrow the money to pay for the land and the improvements.

Pursuant to an act of Congress approved June 29, 1948 (62 Stat. 1104), the Administrator of Veterans' Affairs conveyed to the city of Cheyenne by quitclaim deed, without consideration, approximately 431 acres of the site no longer needed for hospital purposes as surplus property.

In July 1955, the Veterans' Administration reported an additional 90.2 acres of the site, including the 30 acres described in this legislation, as excess property. The city of Cheyenne applied for conveyance of the entire 90.2 acres for use as part of the Cheyenne Airport. In accordance with the recommendation of the Civil Aeronautics Administration, 60.2 acres of the surplus land were transferred to the city by the General Services Administration for the construction of an airport.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. MORSE. I am now familiar with the bill. I wanted an explanation long enough to check the bill. This bill, if I may have the attention of the Senator from Kentucky [Mr. COOPER], is the bill I discussed briefly on the floor of the Senate yesterday. It is in line with a whole series of veterans' hospital cases we have had over the years, such as the one the Senator from Kentucky [Mr. COOPER] offered a couple of years ago. It is in line with the Morse formula, and I have no objection.

The PRESIDING OFFICER (Mr. CANNON in the chair). The bill is open to amendment.

If there be no amendment to be offered, the question is on the engrossment and third reading of the bill.

The bill (S. 857) was ordered to be engrossed and to be read a third time.

The bill was read the third time and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to the provisions of section 2(a) of this Act, the Administrator of General Services is authorized and directed to convey by quitclaim deed, without consideration, to the city of Cheyenne, Wyoming, all right, title, and interest of the United States in and to 30 acres of land, more or less, de-

scribed as a portion of the southwest quarter of section 28 and the west 150 feet of the southeast quarter of section 28, township 14 north, range 66 west of the 6th principal meridian, in the county of Laramie, State of Wyoming, beginning at a point on the south line of section 28, 150 feet east of the southwest corner of the southeast quarter; thence west along the south line of section 28, a distance of 690 feet; thence north a distance of 1,700 feet; thence east a distance of 690 feet; thence south a distance of 1,700 feet to the point of beginning, together with any improvements thereon, which were formerly a part of the tract of land comprising the Veterans' Administration Center, Cheyenne, Wyoming, and declared surplus to the needs of the Veterans' Administration.

SEC. 2. The deed of conveyance (1) shall provide that the tract of land authorized to be conveyed shall be used by the city of Cheyenne, Wyoming, for such purposes as will not in the judgment of the Administrator of Veterans' Affairs or his designee interfere with the operation of the Veterans' Administration Center, Cheyenne, Wyoming; (2) may contain such additional terms, conditions, reservations, and restrictions as may be determined by the Administrator of General Services to be necessary to protect the interests of the United States; and (3) shall provide that title to such tract shall revert to the United States upon the violation by the grantee of any such term, condition, reservation, or restriction.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MORSE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

PROBLEMS OF THE AGED AND AGING

Mr. McNAMARA. Mr. President, I take this opportunity to bring to the attention of the Senate a short progress report of the work of the Subcommittee on the Problems of the Aged and Aging.

Adequate income, decent housing, good health, and a dignified place in society for our 15½ million citizens over 65 and 20 million over 60 are among the most important problems currently facing the Congress and the Nation.

The Senate Subcommittee on Problems of the Aged and Aging was created under Senate Resolution 65, which authorized the Committee on Labor and Public Welfare to establish such a subcommittee.

I wish to thank the distinguished chairman of the Labor and Public Welfare Committee [Mr. HILL] for his very great cooperation and assistance in the creation of the subcommittee.

It was charged with conducting a comprehensive study of the problems of the elderly including their needs, programs of Federal agencies to meet these needs, and the extent to which additional Federal programs should be undertaken to help solve these problems.

I ask unanimous consent that the text of the resolution be printed in the RECORD at this point.

There being no objection, the resolution (S. Res. 65) was ordered to be printed in the RECORD, as follows:

Resolved, That the Committee on Labor and Public Welfare, or any duly authorized subcommittee thereof, is authorized under

sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate to examine, investigate, and make a complete study of any and all matters pertaining to the problems of the aging including, but not limited to, (a) a study of the major problems of the aged, (b) a study of the existing programs of agencies, both public and private, dealing with problems of the aged, (c) a study of the present role of the Federal Government in dealing with problems of the aged, and (d) a study of any additional Federal programs which should be undertaken to help solve the problems of the aged.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1959, to January 31, 1960, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than \$1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1960.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed \$85,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. McNAMARA. Mr. President, in preparing for this study, some of the most informed people in the Nation were asked to meet with the members of the subcommittee to explore the broad range of problems and to suggest guides and standards for further investigation.

I have had many requests for a summary of the thoughts and ideas of these nationally known experts. I have, therefore, taken some of the interesting highlights from the storehouse of information we have developed as the basis for my presentation today.

One startling fact is that if medical progress continues, there is no basic reason why human beings cannot live to the age of 125.

If this dramatic trend continues, today's problems of aging will seem like minor ripples as compared with the floods of tidal proportions to come.

The average life expectancy in the United States today is about 70. This compares with an average of about 48 a little over 50 years ago. Forty years from now the life span is expected to average 82 years.

In 1900 there were only 3 million Americans over the age of 65. Today there are nearly 16 million, and in 10 years there will be an estimated 20 million.

Not only does this constitute a soaring increase in total numbers, but the percentage of the total population in the over 65 bracket has more than doubled, jumping from 4 percent to 9 percent.

If we continue to relegate old people to the sidelines—financially, medically and socially—the financial burden to this country just in terms of institutions for the aging will be too fantastic to contemplate.

This population boom amounts to a national crisis because of the role we tend to assign to "older men and women."

We have made it possible for more people to live into the so-called "golden years," but without adequate incomes, health care, housing, and without a recognized role in the community life of the Nation.

The primary issue facing the aging today is that of maintaining a decent American standard of living on a heavily reduced income.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. McNAMARA. I yield.

Mr. MORSE. I most sincerely compliment the Senator from Michigan for the grand job he did in the Committee on Labor and Public Welfare.

Did the Senator go into any detail with regard to the problems which concern the elderly, such as the fear of medical costs after they are 65 years of age, and their fear that they will not have the funds, nor will their children have the funds, to pay the cost of serious illness in old age?

Mr. McNAMARA. I wish to assure the Senator from Oregon [Mr. MORSE] we have gone into the subject at great length, and I intend to make further reference to it in my remarks today.

Mr. MORSE. I shall not interrupt the Senator further, except, for the sake of the RECORD, I wish to ask the Senator, if he is aware of the great interest of the senior Senator from Oregon in the problem of medical care for the aged, as evidenced by the fact that I am the author of the Senate bill, as is Congressman FORAND on the House side—the so-called Forand-Morse bill—which seeks to provide medical insurance attached to social security for the aged, which would take care of their medical costs after the age of 65?

Mr. McNAMARA. The Senator from Michigan is well aware of the interest of the Senator from Oregon in this subject, and assures him that the subcommittee of the Committee on Labor and Public Welfare, and I personally, in my contact with people throughout the country in relation to this subject, have found a great deal of interest in the proposed legislation to which the Senator from Oregon refers.

Mr. MORSE. Am I correctly advised that at the next session of Congress, if we do not stay here long enough this fall, as we should, to handle the matter the bill to which I referred will come before the committee of which the Senator from Michigan is a member for hearing?

Mr. McNAMARA. I do not think our committee is the appropriate committee to conduct hearings on that bill. However, I think that decision will be up to the distinguished chairman of the Committee on Labor and Public Welfare [Mr. HILL]. He will probably make that decision.